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Counsel for Defendant CULLUM

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,) No. CR 02-40190-CW
12 Plaintiff,) CR 04-40176-CW
13 vs.) CR 09-0835-CW
14 JOHN BENNETT CULLUM,) STIPULATION TO CONTINUE;
15 Defendant.) ~~PROPOSED ORDERING~~ CONTINUING
) CASE AND EXCLUDING TIME UNDER
) THE SPEEDY TRIAL ACT
)
)

17 IT IS HEREBY STIPULATED, by and between the parties to this action, that the
18 STATUS HEARING date of February 22, 2010 presently scheduled at 10:00 a.m., before the
19 Honorable Laurel Beeler, be vacated and re-set for April 5, 2010 at 10:00 a.m. for
20 TRIAL/MOTIONS SETTING OR CHANGE OF PLEA.

21 The reason for this request is that defense counsel needs additional time to review
22 discovery, investigate, and discuss this case with Mr. Cullum. Further, counsel for the defendant
23 will be in trial in another case for two to three weeks beginning on March 8, 2010. The
24 Probation Office has been contacted and does not object to a continuance.

25 The parties agree and stipulate that the time until April 5, 2010 should be excluded, under
26 18 U.S.C. §3161(h)(7)(A) because the ends of justice served by the granting of the continuance

1 outweigh the bests interests of the public and the defendant in a speedy and public trial. The
2 continuance is necessary to accommodate counsel's preparation efforts and ensure continuity of
3 counsel.

4 Date 2/19/10 /s/
John Paul Reichmuth
Assistant Federal Public Defender
Counsel for defendant CULLUM
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8 Date 2/19/10 /s/
Brian C. Lewis
Assistant United States Attorney
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I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

/S/ John Paul Reichmuth
Counsel for Defendant Cullum

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3 ORDER

4 The court finds that the ends of justice served by the granting of the continuance
5 outweigh the bests interests of the public and the defendant in a speedy and public trial. The
6 continuance is necessary to accommodate counsel's preparation efforts and ensure continuity of
7 counsel. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned
8 matters are continued to April 5, 2010 at 10:00 a.m. before Hon. Laurel Beeler, United States
9 Magistrate Judge, and that time is excluded from February 22, 2010 to April 5, 2010 pursuant to
10 18 U.S.C. §§3161(h)(7)(A).

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12 IT IS SO ORDERED.

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14
15 February 23, 2010
Date

16 _____
LAUREL BEELER
UNITED STATES MAGISTRATE JUDGE